

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LESLEY G. JAMESON, Individually and  
on Behalf of All Other Persons Similarly  
Situating

vs.

CAVALRY PORTFOLIO SERVICES  
LLC, CAVALRY INVESTMENTS LLC,  
and LAURENCE A. HECKER

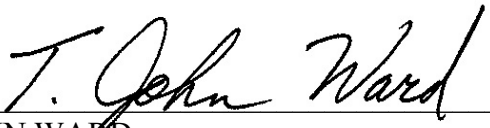
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CASE NO. 2:09-CV-023-TJW-CE

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 127), which contains his recommendation that the court deny as moot the defendants' motion to dismiss (Dkt. No. 73), has been presented for consideration. No objections were filed to the report and recommendation. The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court hereby adopts, in its entirety, the report of the United States Magistrate Judge as the conclusions of this court. Because the plaintiff's third amended complaint does not name Laurence A. Hecker as a defendant, all claims against Mr. Hecker are dismissed without prejudice. Accordingly, the subsequently filed motion to dismiss is DENIED as moot.

SIGNED this 9th day of June, 2010.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE